

FACSIMILE TRANSMISSION COVER SHEET

**To:** Examiner Joseph T. Phan, US PTO  
Fax: (703) 872 9306

**By:** Markus Nollf, LERNER & GREENBERG  
Tel: (954) 925 1100, Fax: (954) 925 1101

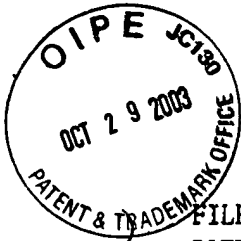
**Date:** October 29, 2003

**Re:** Resubmission of the RCE for application 09/538,792, filed on June 27, 2003.  
(Facsimile Transmission Report is attached as proof of previous fax transmission)

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TIME : 06-27-'03 15:19  
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DATE : 06.27 15:16  
TO : 817037467488  
DOCUMENT PAGES : 6  
START TIME : 06.27 15:17  
END TIME : 06.27 15:19  
PAGES SENT : 6  
STATUS : OK

TX ORIGINAL

Practitioner's Docket No.: GR 97 P 2639

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Vincenzo Scotto Di Carlo et al.  
Applic. No. : 09/538,792 Group No. : 2645  
Filed : March 30, 2000 Examiner : Joseph T. Phan  
For : Method for Giving Notification of a Message to a Subscriber

MAIL STOP RCE  
Commissioner for Patents,  
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE)  
(37 C.F.R. 1.114)

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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- ☐ 37 C.F.R. 1.8(a) - with sufficient postage as first class mail.
- ☐ 37 C.F.R. 1.10 - no "Express Mail Post Office to Addressee" Mailing Label No. EL US
- ☐ 37 C.F.R. 1.8(a) - transmitted by facsimile to the Patent and Trademark Office.

  
Signature of Practitioner

LAURENCE A. GREENBERG  
REG. NO. 29,308

Date: June 27, 2003

(Request for Continued Examination (RCE) (37 C.F.R. §1.114) [9-64]) - page 1 of 4

#14  
UT  
11/4/03

Practitioner's Docket No.: GR 97 P 2659

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Vincenzo Scotto Di Carlo et al.  
Applic. No. : 09/538,792 Group No. : 2645  
Filed : March 30, 2000 Examiner : Joseph T. Phan  
For : Method for Giving Notification of a Message to a Subscriber

MAIL STOP RCE  
Commissioner for Patents,  
Alexandria, VA 22313-1450

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REQUEST FOR CONTINUED EXAMINATION (RCE)  
(37 C.F.R. 1.114)

**CERTIFICATION UNDER 37 C.F.R.1.8(a) and 1.10**

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

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Mailing Label No. EL US
- ☒ 37 C.F.R.1.8(a) - transmitted by facsimile to the Patent and Trademark Office.

  
Signature of Practitioner

LAURENCE A. GREENBERG  
REG. NO. 29,308

Date: June 27, 2003

10/30/2003 TTRAN1 00000003 09538792

01 FC:1801

750.00 0P

(Request for Continued Examination (RCE) (37 C.F.R. §1.114) [9-64])-page 1 of 4

Received from <+9549251101> at 10/29/03 11:02:38 AM [Eastern Standard Time]

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00000004 09538792  
10/30/2003 TTRAN1  
01 FC:1251

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above-identified application.

**TIME REQUEST IS BEING MADE**

2. This request is being submitted:

- i. ☒ Prior to abandonment of the application
- ii. ☐ Payment of the issue fee
  - ☐ Prior to payment of the issue fee
  - ☐ Issue fee has been paid but a petition under § 1.313 has been granted
- iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
  - ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
- iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145; or
  - ☐ Commencement of a civil action under 35 U.S.C. 146
  - ☐ Prior to the filing of such appeal or commencement of civil action
  - ☐ Such appeal or commencement of civil action has been terminated

**SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114**

3. a) Previously submitted
- ☒ Consider the amendment under 37 C.F.R. 1.116 previously filed on May 23, 2003.  
(Any unentered amendments referred to above will be entered)
  - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously submitted on
  - ☐ Other
- b) Enclosed herewith is/are:
- ☐ An information disclosure (37 C.F.R. §1.98)
  - ☐ Form PTO-1449 (PTO/SB/08A and 08B)
  - ☐ An amendment
  - ☐ New arguments
  - ☐ New evidence in support of patentability
  - ☐ Other:

**FEE FOR REQUEST (37 C.F.R. § 1.17(e))**

4. This application is on behalf of:

☒ Large entity

\$750.00

Continued Prosecution Request Fee \$750.00

**FEE FOR CLAIMS**

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col.2)	(Col.3)	Small Entity			Large Entity	
	Claims remaining after amendment		Highest No. previously paid for	Present Extra	Rate	Add.Fee	Or	Rate	Add.Fee
Total	12	Minus			x\$9=	\$		x\$18=	\$
Indep.	1	Minus			x\$42=	\$		x\$84=	\$
First Presentation of Multiple Dependent Claims					+\$140=	\$		+\$280=	
					Total Addit.Fee		Or	Total Addit.Fee	

- (c)
- ☒
- No additional fee is required.

**EXTENSION OF TIME**

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

(a) Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

<input checked="" type="checkbox"/>	Extension one month	Large Entity \$ 110.00	Small Entity \$ 55.00
		Fee:	\$ 110.00

**TOTAL FEES DUE**

7. The total fees due are:

<input checked="" type="checkbox"/>	Continued Prosecution Fee (§ 1.17(e))	\$750.00
<input checked="" type="checkbox"/>	Extension of time fee (if any) (§ 1.17(a)(1)-(4))	\$110.00
	Total Fees Due	\$860.00

**PAYMENT OF FEES DUE**

8. Please pay the fees for this continued examination application as follows:

☒ Charge Credit Card the sum of \$860.00  
(Credit Card Payment Form (PTO-2038) attached)

Please charge any required additional fees for § 1.17(e), § 1.16(b)-(d) and/or  
§ 1.17(a)(1)-(4) to

☒ Account No. 12-1099 of Lerner and Greenberg, P.A.

**INVENTORSHIP**

9. This application as amended names as inventors:

☒ the same inventors as previously designated for the claims.

10. **Instructions as to Overpayment**

☒ Credit Account No. 12-1099.

☐ Refund

  
SIGNATURE OF PRACTITIONER

LAURENCE A. GREENBERG  
REG. NO. 29,308

Date: June 27, 2003

Tel. No.: (954) 925-1100

Fax No.: (954) 925-1101

/bb

P.O. Box 2480, Hollywood, FL 33022

P.O. Address